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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date:

January 11, 2002

By:

Lynn Anderson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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IN RE APPLICATION OF:

Sydney Brenner

SERIAL NO.: 09/366,081

FILED: 8/2/99

FOR: COMPOSITIONS FOR SORTING
POLYNUCLEOTIDES

EXAMINER: Shibuya, M.

ART UNIT: 1635

Information Disclosure Statement After First Office Action but
Before Final Action or Notice of Allowance - 37 CFR 1.97(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

The information transmitted herewith is being filed after three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but before the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first.

2. Cited Information☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following: *

☐ Copies of the following references can be found in parent application Ser. No. *:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following: *

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

4. Fee Payment (37 CFR 1.97(c)) or Certification (37 CFR 1.97(e))

☒ Applicant elects to pay the fee under 37 CFR 1.17(p) [\$180.00].

☐ Check enclosed for \$*.

☒ Please charge the above fee(s) to Deposit Account No. 50-0665.

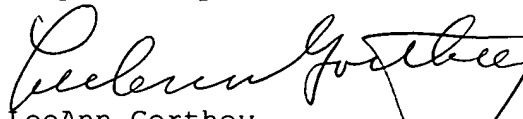
☐ Applicant submits that no fee is due in light of the following certification under 37 CFR 1.97(e) (check only one):

☐ In accordance with 37 CFR 1.97(e)(1), the undersigned hereby certifies that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or

☐ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby certifies that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-0665.

Respectfully submitted,


LeeAnn Gorthey
Registration No. 37,337

Date: 1-11-02

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